

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE TERRORIST ATTACKS ON SEPTEMBER 11, 2001

)
) No. 03 MDL 1570 (RCC)
) ECF Case
)

This document relates to:

BURNETT, *et al.* v. AL BARAKA INVESTMENT & DEVELOPMENT CORP., *et al.*, Case No. 03-CV-5738;

EURO BROKERS, INC., *et al.* v. AL BARAKA INVESTMENT AND DEVELOPMENT CORP., *et al.*, Case No. 04-CV-07279; and

WORLD TRADE CENTER PROPERTIES LLC, *et al.* v. AL BARAKA INVESTMENT AND DEVELOPMENT CORP., *et al.*, Case No. 04-CV-07280.

**SHEIKH HAMAD AL-HUSAINI'S RESPONSE
TO PLAINTIFFS' CONSOLIDATED COMPLAINTS**

Defendant Sheikh Hamad Al-Husaini, by and through undersigned counsel, respectfully submits his response to the plaintiffs' "consolidated" complaints. Defendant's motion to dismiss the *Burnett II*, *Euro Brokers*, and *WTC Properties* complaints is fully briefed; this Court dismissed Sheikh Al-Husaini from the first *Burnett* lawsuit in its January 18, 2005 order.

Subsequently, on September 30, 2005, these plaintiffs filed their "consolidated" complaints, which merely consisted of their operative complaints supplemented by eighty-seven RICO Statements and Rule 12(e) More Definite Statements. However, none of these supplemental filings has any new allegations about Sheikh Al-Husaini that have not already been addressed in his motion to dismiss. Therefore, Sheikh Al-Husaini respectfully requests that this Court consider his fully briefed motion to dismiss, Docket Nos. 1189-1191 (Sept. 6, 2005) and Nos. 1268-1269 (Sept. 26, 2005) as his response to the plaintiffs' "consolidated" complaints.

Respectfully submitted,

/s/ Lynne Bernabei

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DATED: October 18, 2005

CERTIFICATE OF SERVICE

I hereby certify that on October 18, 2005, I caused the foregoing to be served electronically on counsel of record by the Court's Electronic Case Filing (ECF) System, pursuant to ¶ 9(a) of Case Management Order No. 2 (June 16, 2004).

/s/ Alan R. Kabat

Alan R. Kabat